IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

RICHARD BURKS, ET AL.,)
Plaintiffs,) Case No. 1:12CV00032
v.	ORDER
TIACME LLC, ET AL.,) By: James P. Jones) United States District Judge
Defendants.) Officed States District Judge

Defendant MCoal Corporation has filed a Motion to Dismiss, which motion was referred to the magistrate judge for determination pursuant to 28 U.S.C. § 636(b)(1)(B). The magistrate judge issued her Report and Recommendation on August 9, 2012, recommending that the motion be granted on the basis that the Complaint fails to allege facts sufficient to establish a prime facie showing of personal jurisdiction over said defendant and that the Complaint fails to allege facts sufficient to state a claim upon which relief may be granted against said defendant.

No objections having been timely filed, it is **ORDERED** as follows:

1. The Report and Recommendation (ECF No. 21) is fully ACCEPTED; and

2. Defendant MCoal Corporation's Motion to Dismiss (ECF No. 12) is GRANTED and said defendant is DISMISSED.

ENTER: August 28, 2012

/s/ James P. Jones

United States District Judge